

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
***IN RE* TERRORIST ATTACKS  
ON SEPTEMBER 11, 2001**

:  
:  
:  
:  
:

**03 MDL 1570 (GBD)(SN)**

-----X  
**This Document Relates to:  
Havlish, et al. v. Bin-Laden, et al.  
1:03-cv-9848 (GBD)(SN)**

**STIPULATION AND [PROPOSED] ORDER FOR THE PROTECTION  
AND EXCHANGE OF CONFIDENTIAL INFORMATION PRODUCED  
BY NON-PARTY FEDERAL RESERVE BANK OF NEW YORK**

**WHEREAS**, Plaintiffs-Judgment Creditors Fiona Havlish, et al. (“the Havlish Creditors”) have obtained a judgment against Defendants-Judgment Debtors the Taliban, et al., in the above-captioned action, and those judgments have not been fully satisfied;

**WHEREAS**, in furtherance of satisfying those judgments, the Havlish Creditors issued an information subpoena on the Federal Reserve Bank of New York (the “New York Fed”) on or about March 17, 2022 (the “Information Subpoena”);

**WHEREAS**, the New York Fed asserts that it acts as the international operating arm for the United States Federal Reserve System (the nation’s central bank), and, as such, maintains accounts for, *inter alia*, foreign governments, central banks, and monetary authorities;

**WHEREAS**, the New York Fed asserts that it treats its customers’ account information as confidential;

**WHEREAS**, the Information Subpoena seeks from the New York Fed information that contains confidential customer account information;

**NOW, THEREFORE**, the Havlish Creditors and the New York Fed, through their respective counsel, hereby agree as follows:

1. This Stipulation and Order for the Protection and Exchange of Confidential Information (the “Protective Order”) shall govern the handling of confidential information provided by the New York Fed to the Havlish Creditors in response to discovery requests in these actions, including the Information Subpoena and any other discovery requests (collectively, the “Confidential Information”).

2. Any Confidential Information shall be designated as such by the New York Fed by stamping or otherwise clearly marking it as “Confidential.”

3. The Havlish Creditors shall not disclose any Confidential Information to any party or third-party who is not a signatory to this Protective Order, except as provided for herein, and shall safeguard such Confidential Information so as to avoid its disclosure to persons who are not entitled to see such information under the terms of this Protective Order. Confidential Information may be disclosed to lead counsel for other plaintiff groups in the above-captioned multi-district litigation, provided that those lead counsel execute a copy of this Protective Order and agree to be bound by its terms and agree to share within their firm only on a need-to-know basis. Notwithstanding the foregoing, nothing herein shall prohibit Plaintiffs from filing Confidential Information under seal in the matter as provided herein, provided, however, that service copies provided to defendants shall redact Confidential Information in its entirety and that Confidential Information filed under seal is available only to Parties that have signed on to this Protective Order and agree to be bound by its terms.

4. Any signatory to this Protective Order may use Confidential Information only in connection with the conduct of the above-captioned action, including other actions in the

multidistrict litigation captioned *In re Terrorist Attacks on September 11, 2001*, No. 03-MD-1570 (S.D.N.Y.), and for no other purpose.

5. Confidential Information that is used in connection with any court filings must be filed under seal, in accordance with the procedures set out in the Court's local rules and the individual rules and practices of the presiding judges, with each page containing such information clearly labeled "CONFIDENTIAL – FILED UNDER SEAL."

6. After the conclusion of the above-captioned actions, this Protective Order shall continue to be binding upon the signatories thereto, and upon all persons to whom Confidential Information has been disclosed or communicated.

7. At the request of the New York Fed, all Confidential Information and all copies thereof shall be destroyed, and certified to the New York Fed as having been destroyed, or returned to counsel for the New York Fed, within thirty (30) days after the conclusion of the above-captioned actions, including appeals; provided, however, that counsel for each party may maintain in its files pleadings, briefs and other documents filed with the Court that contain or constitute Confidential Information, and such briefs and other papers shall remain subject to the terms and conditions of this Protective Order.

8. Nothing in this Protective Order shall be construed to prohibit a party from producing Confidential Information in its possession pursuant to a subpoena, order or other official request issued by any court, provided that the party in possession of such Confidential Information, if subpoenaed, shall (i) give the New York Fed notice of such subpoena, order or request promptly in writing or by telephone; (ii) furnish the New York Fed with a copy of all written materials

pertaining to such subpoena, order or request; and (iii) give the New York Fed sufficient advance notice of any intended disclosure so that the New York Fed may, if necessary or appropriate, raise objections to the intended disclosure. The producing party shall not produce any of the Confidential Information for a period of at least five business days after providing the required notice to the New York Fed, unless the subpoena, order or request requires production on an earlier date.

Dated: New York, New York  
March 24, 2022

/s/ Lee S. Wolosky

Lee S. Wolosky  
JENNER & BLOCK LLP  
1155 Avenue of the Americas  
New York, NY 10036  
(212) 891-1628

Counsel for the Havlish Creditors

/s/ Katherine S. Landy

Katherine S. Landy  
Federal Reserve Bank of New York  
33 Liberty Street  
New York, NY 10045  
(212) 720-5331

Counsel for Non-Party Federal  
Reserve Bank of New York

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.